1 2 3 4 5 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 6 AT TACOMA 7 CHRISOTPHER WILSON and JOYCE WILSON, husband and wife; and their marital 8 Case No. C06-5229RJB community,, 9 Plaintiff(s), MINUTE ORDER SETTING TRIAL, PRETRIAL DATES AND ORDERING 10 **MEDIATION** v. 11 BRIGGS & STRATTON CORP., et al., 12 Defendant(s). 13 14 The parties did not fully comply with the Court's order regarding the Joint Status Report, Dkt #3, and did not amend the Joint Status Report to comply in spite of the clerk's extension of due date and reminder. The Court sets trial dates from the Joint Status Report with the parties' calendars in mind. Since a complete Joint Status Report has not been filed, the Court has directed the clerk to proceed to 16 set a trial date and pretrial deadlines. The following are hereby set: 17 10 DAY JURY TRIAL set for 9:30 a.m. on April 30, 2007 18 Deadline for the FILING of any motion to join parties November 16, 2006 19 Disclosure of expert testimony under FRCP 26(a)(2) November 1, 2006 20 All motions related to discovery must be FILED by December 11, 2006 21 Discovery COMPLETED by December 31, 2006 All dispositive motions must be FILED by January 30, 2007 22 Settlement conference per CR 39.1(c)(2) HELD no later than March 1, 2007 23 Mediation per CR 39.1(c)(3) HELD no later than March 31, 2007 24 25 26 ORDER SETTING TRIAL, PRETRIAL DATES AND ORDERING MEDIATION - 1

| 1<br>2 | Letter of compliance as to CR 39.1 FILED by A roster of Local Rule 39.1 mediators can be located on the Internet at <a href="www.wawd.uscourts.gov">www.wawd.uscourts.gov</a> . If you do not have access to the Internet, please contact the Clerk's |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3      | Office at 253-593-6581.                                                                                                                                                                                                                               |
| 4      | Motions in limine should be FILED by and NOTED on the motion calendar no later than the                                                                                                                                                               |
| 5      | second Friday thereafter.                                                                                                                                                                                                                             |
| 6      | Agreed pretrial order LODGED with the court by  April 13, 2007                                                                                                                                                                                        |
| 7      | Pretrial conference will be HELD at 8:30 a.m. on April 20, 2007 (COUNSEL SHALL REPORT TO COURTROOM A)                                                                                                                                                 |
| 8      | Trial briefs, proposed voir dire & jury instructions due ** April 20, 2007                                                                                                                                                                            |
| 9      | **JURY INSTRUCTIONS See Local Civil Rule CR51. A Manual of Model Civil Jury                                                                                                                                                                           |
| 10     | <u>Instructions For the Ninth Circuit - Latest Edition</u> should be used as the format for proposed jury                                                                                                                                             |
| 11     | instructions. See <u>www.wawd.uscourts.gov</u>                                                                                                                                                                                                        |
| 12     | PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW need not be submitted                                                                                                                                                                                |
| 13     | unless specifically requested by the Judge.                                                                                                                                                                                                           |
| 14     | If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal                                                                                                                                                    |
| 15     | holiday, the act or event shall be performed on the next business day. These are firm dates that can be                                                                                                                                               |
| 16     | changed only by order of the Court.                                                                                                                                                                                                                   |
| 17     | If this case is settled, please advise Dara Kaleel, Courtroom Deputy to Judge Bryan immediately                                                                                                                                                       |
| 18     | at (253) 882-3824. If this case is not settled, it will go to trial on the date set or as soon thereafter as the                                                                                                                                      |
| 19     | court is available.                                                                                                                                                                                                                                   |
| 20     |                                                                                                                                                                                                                                                       |
| 21     | The foregoing Minute Order entered by /s/ Dara L. Kaleel, Deputy Clerk, BY DIRECTION OF                                                                                                                                                               |
| 22     | THE HONORABLE ROBERT J. BRYAN, UNITED STATES DISTRICT JUDGE.                                                                                                                                                                                          |
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| 26     |                                                                                                                                                                                                                                                       |
|        | ORDER SETTING TRIAL, PRETRIAL DATES<br>AND ORDERING MEDIATION - 2                                                                                                                                                                                     |